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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,548	08/08/2002	Thore Brynielsson	10400-000005/US	5033

30593 7590 09/29/2004

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. BOX 8910  
RESTON, VA 20195

EXAMINER

TRAN, CONGVAN

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/089,548

**Applicant(s)**

BRYNIELSSON, THORE

**Examiner**

CongVan Tran

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This office action is in response to Amendment filed on April 01, 2002.
2. Claims 1-15 have been amend.
3. Claims 16-20 have been added.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Parker (5,864,757).

Regarding claim 1, Parker discloses a method and apparatus for locking communication devices comprising the steps of forming a plurality of sets of randomly generated code words (see fig.2, element 40 and its description); storing one of said plurality of code word sets in a memory circuit of a mobile telephone which circuit is

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associated with a mobile telephone subscription (see fig.2, element 44, fig.3, elements 20, 50-80 and its description); storing and identical code word set in a database together with an association to said mobile telephone subscription (fig.3, element 80 and its description); and at the time of requesting the commission, identifying said mobile telephone subscription, retrieving at least one code word from circuit and checking the presence of said code word in the code word set in the database that is associated with said mobile telephone subscription, thereby authenticating the commission (see fig.2, figs.4-5 block 170-172 and its description).

Regarding claims 2-12, 16-20, Parker further discloses codeword retrieve from the memory circuit in a predetermined sequence is followed (see fig.2, element 22, 32, 34, fig. 3, elements 20, 80, figs.4-5 and its description).

Regarding claim 13, Parker discloses a method and apparatus for locking communication devices comprising the steps of establishing the identify of the customer (see figs.3-4, element 80, steps 114-116, col.8, and its description); identifying the mobile telephone subscription on the basis of the identity of customer (see figs.3-4, elements 20, 80, steps 118, col.8, and its description); retrieving a code word from the memory circuit (see fig.2, elements 22, 40, 44, and its description); and checking the presence of said code word in the code word set in the database that associated with said mobile telephone subscription, in order to thus authenticate the commission (see fig.2, figs.4-5 block 170-172 and its description).

Regarding claims 14-15, Parker discloses a method and apparatus for locking communication devices comprising a mobile telephone having a memory circuit

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associated with a mobile telephone subscription (see fig.2, element 40, fig.3, element 20, 80 and its description); means to enable the customer to disclose his identity to the service provider (see figs.3-4, elements 20, 80, step 118, col.8, and its description); a database (see fig.3, element 80 and its description); a set of randomly generated code words, said set stored in the first place in the memory circuit and in the second place in the database, wherein it is associated with the mobile subscription (see fig.2, element 40, fig.3, element 80 and its description); means to identify the mobile telephone subscription based on the identity of the customer (see figs.3-4, elements 20, 80, steps 114-118, col.8, and its description); means to enable the customer to retrieve a code word from the memory circuit and to transfer code word to the database (see figs.2-3, elements 22, 32, 34, 40 and its description); and checking means for checking that said code word is present in the code word set in the database that associated with said mobile telephone subscription, in order to thus authenticate the commission (see fig.2, figs.4-5 block 170-172 and its description).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 703-305-4024. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CongVan Tran  
Examiner  
Art Unit 2683

TCU  
Sept. 26, 2004.